

BILL NO. Z-74-03-16

ZONING MAP ORDINANCE NO. Z-Rash

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. D12.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B1B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. D12, referred to therein established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The East 104.35 feet of the West 571.77 feet of the North 467.42 feet, Northwest 1/4 Section 30, Township 30 North, Range 13 East (Adams Township), Allen County, Indiana

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

John E. Guadagnoli
Councilman

APPROVED AS TO FORM
AND LEGALITY

David K. O.
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulation (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice,~~ at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: 3/12/74

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

AYES 0, NAYS 9, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	_____	<u>✓</u>	_____	_____
HINGA	_____	<u>✓</u>	_____	_____
HUNTER	_____	<u>✓</u>	_____	_____
KNAC	_____	<u>✓</u>	_____	_____
MOSES	_____	<u>✓</u>	_____	_____
NUCKOLS	_____	<u>✓</u>	_____	_____
SCHMIDT, D.	_____	<u>✓</u>	_____	_____
SCHMIDT, V.	_____	<u>✓</u>	_____	_____
STIER	_____	<u>✓</u>	_____	_____
TALARICO	_____	<u>✓</u>	_____	_____

DATE: ~~7-25-78~~ 7-25-78

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-03-16; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 13, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1978.

Certified and signed this
27th day of June, 1978.

A handwritten signature in dark ink, appearing to read 'Luben Lazoff', written over a horizontal line.

Luben Lazoff
Secretary

Bill No. Z-74-03-16

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. D12

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

Vivian G. Schmidt
John Nuckols
William T. Hinga
Donald J. Schmidt
James S. Stier

DATE 7-25-78 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Nº 262

GENERAL FUND

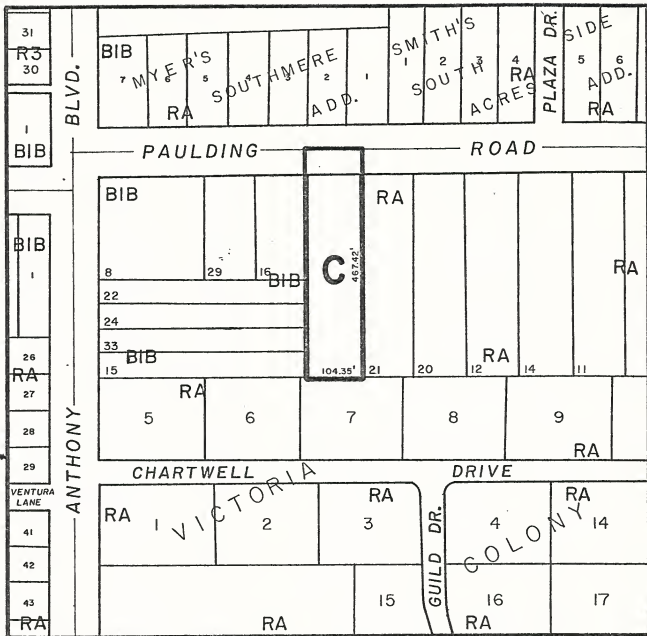
FT. WAYNE, IND., July 19 1974

RECEIVED FROM Stanley & Harold Levine \$ 2.00

THE SUM OF Two DOLLARS

ON ACCOUNT OF Building Rd

Dudley Edwards
AUTHORIZED SIGNATURE



C CHANGE FROM RA TO BIB

2-74-03-16



TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use _____

I/We Elvin N. Chapman and Mary N. Chapman

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an RA District to a/an BLB District the property described as follows:

The East 104.35 feet of the West 571.77 feet of the North 467.42

feet, Northwest 1/4 Section 30, Township 30 North, Range 13 East

(Adams Township), Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Elvin N. Chapman 1906 Paulding Road

Mary N. Chapman 1906 Paulding Road

(Name)

(Address)

(Signature)

Legal Description Checked By: _____

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Stanley A. Levine
(Name)

344 Utility Bldg. Ft. Wayne
(Address)

(219) 423-3525
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

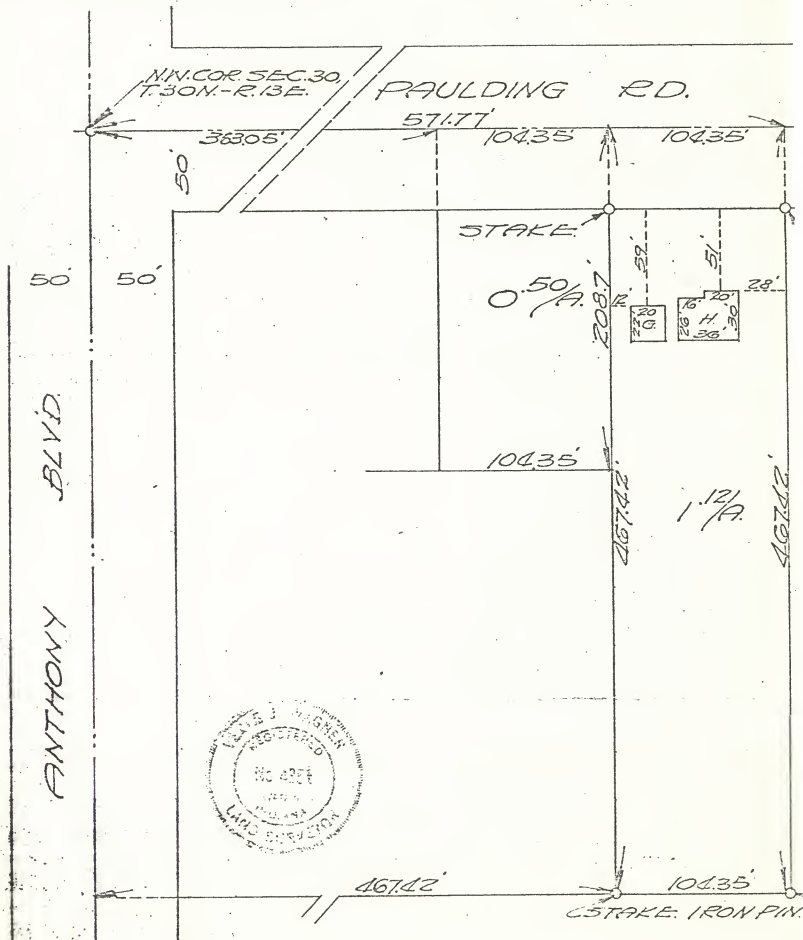
Certificate of Survey

VERLE J. WAGNER
REGISTERED LAND SURVEYOR
3709 ROBINWOOD DRIVE
FORT WAYNE, INDIANA

PHONE 745-5216

This document is a certificate that the undersigned Land Surveyor, registered under the laws of Indiana, has made a resurvey of land and real estate situated in Allen County, Indiana, in accordance with the plat thereof on file in the Office of the Recorder of said County and State. The land below described exists in full dimensions as shown herein in feet and is free from encroachments by adjoining landowners. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY: The East 104.35 feet of the West 571.77 feet of the North 467.42 feet, Northwest $\frac{1}{4}$ Section 30, Township 30 North, Range 13 East (Adams Township), Allen County, Indiana.



I hereby certify above survey to be correct.

Surveyed 4-18-67.

Verle J. Wagner
REGISTERED LAND SURVEYOR IND. NO. 4351



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

community development & planning
Long Range Planning & Zoning

18 July 1978

3-74-03-16

Members of the Common Council
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

The attached is a letter forwarded to Mr. Elvin Chapman, petitioner for Bill No. Z-74-03-16 a rezoning from "RA" to "B1B", on January 14, 1978. We received no response to this letter. The letter to the Members of the Common Council along with the note directing Mr. Chapman to contact Mrs. Eshcoff was forwarded to Mr. Stanley Levine, the attorney for the petitioner, on June 27, 1978 the day the Plan Commission returned the ordinance to Council with a DO NOT PASS recommendation.

Sincerely,

CITY PLAN COMMISSION

Patricia A. Biancaniello
Secretary



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

January 4, 1978

Mr. Elvin Chapman
1906 East Paulding Road
Fort Wayne, Indiana 46807

Dear Mr. Chapman:

In response to our telephone conversation on January 3, 1978 at approximately 4:30 P.M., to ask for an extension would require that you write a formal letter to the president of the Plan Commission requesting for such. Failure to do so could result in the petition being forwarded to the City Council from the Plan Commission recommending a "DO NOT PASS". Prompt action regarding this matter would be appreciated. Thank you.

Sincerely,

COMMUNITY DEVELOPMENT & PLANNING
Long-Range Planning & Zoning


Gary Baeten
Land Use Administrator

GB:kks



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802
Long Range Planning & Zoning

27 June 1978

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held June 26, 1978. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-74-03-16
2. From "RA" to "B1B"
3. Intended Use: Not Given
4. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reason:

The petitioner has not made an effort to proceed with the rezoning of this property within a reasonable length of time.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning & Zoning

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachments

The enclosed materials have been forwarded to Council. If you wish to know when final action is taken on this amendment, please contact Mrs. Nadka Eshcoff in the City Clerk's Office at 423-7183.

CITY PLAN COMMISSION

DIGEST SHEET

Zoning Map Amendment Ordinance

3-74-03-16

TITLE OF ORDINANCE

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a zoning map amendment ordinance

petition initiated by property owners to rezone property located as

follows:

A parcel of ground containing 4 acres, more or less, located on the
south side of Paulding Road, approximately 467 feet east of Anthony Blvd.

From "RA" to "BIB"

EFFECT OF PASSAGE Property is presently zoned "RA" - Suburban Residential.

Petitioners are requesting a "BIB" District - Limited Business.

EFFECT OF NON-PASSAGE Property would remain suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)

Regulations